UNITED STATES BANKRUPTCY COURT DISTRICT OF NORTH DAKOTA

In re: MCKAY, RICHARD D	§ Case No. 11-30366
	§
	§
Debtor(s)	§

CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

KIP M. KALER, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

- 1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.
- 2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$163,993.12 (without deducting any secured claims)	Assets Exempt: <u>\$157,456.44</u>
Total Distribution to Claimants:\$3,030.12	Claims Discharged Without Payment: \$55,119.40
Total Expenses of Administration: \$1,562.03	_

3) Total gross receipts of \$ 4,592.15 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$4,592.15 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$10,791.09	\$4,869.24	\$4,869.24	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4) PRIOR CHAPTER	0.00	1,562.03	1,562.03	1,562.03
ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	2,975.26	11,463.16	11,463.16	3,030.12
GENERAL UNSECURED CLAIMS (from Exhibit 7)	40,024.93	24,371.34	24,371.34	0.00
TOTAL DISBURSEMENTS	\$53,791.28	\$42,265.77	\$42,265.77	\$4,592.15

- 4) This case was originally filed under Chapter 7 on April 08, 2011. The case was pending for 20 months.
- 5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.
- 6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 12/14/2012	By:_/s/KIP M. KALER	
	Trustee	

 $\textbf{STATEMENT:} \ This \ Uniform \ Form \ is \ associated \ with \ an \ open \ bankruptcy \ case, \ therefore, \ Paperwork \ Reduction \ Act \ exemption \ 5 \ C.F.R. \ \S \ 1320.4(a)(2) \ applies.$

EXHIBITS TO FINAL ACCOUNT

EXHIBIT 1 –GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE 1	\$ AMOUNT RECEIVED
BOATS, MOTORS AND ACCESSORIES.	1129-000	114.83
MACHINERY, FIXTURES, EQUIPMENT AND SUPPLIES USED	1129-000	200.00
ANIMALS.	1129-000	2.00
FARMING EQUIPMENT AND IMPLEMENTS.	1129-000	3,775.17
FARMING EQUIPMENT	1229-000	500.00
Interest Income	1270-000	0.15
TOTAL GROSS RECEIPTS		\$4,592.15

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 —FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO PARTIES	O DEBTOR AND THIRD		\$0.00

EXHIBIT 3 —SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
2	North Country Bank	4210-000	4,869.24	4,869.24	4,869.24	0.00
NOTFILED	US Bank	4110-000	5,196.17	N/A	N/A	0.00
NOTFILED	Us Bank Home Mortgage	4110-000	725.68	N/A	N/A	0.00
TOTAL SE	ECURED CLAIMS		\$10,791.09	\$4,869.24	\$4,869.24	\$0.00

EXHIBIT 4 — CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
KIP M. KALER	2100-000	N/A	1,148.04	1,148.04	1,148.04
KIP M. KALER	2200-000	N/A	110.15	110.15	110.15
The Bank of New York Mellon	2600-000	N/A	3.84	3.84	3.84
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$1,562.03	\$1,562.03	\$1,562.03

EXHIBIT 5 —PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	No	one			
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$0.00	\$0.00	\$0.00

EXHIBIT 6 —PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
9	North Dakota Department of Labor	5800-000	unknown	11,463.16	11,463.16	3,030.12

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TOTAL I	PRIORITY UNSECURED		\$2,975.26	\$11,463.16	\$11,463.16	\$3,030.12
NOTFILED	Stutsman Co Treasurer	5200-000	1,487.63	N/A	N/A	0.00
NOTFILED	Stutsman Co Treasurer	5200-000	1,487.63	N/A	N/A	0.00

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	First National Bank of Oma	ha 7100-000	1,168.75	1,360.27	1,360.27	0.00
3	American InfoSource LP as agent for	7100-000	1,626.91	1,819.24	1,819.24	0.00
4	Chase Bank USA, N.A.	7100-000	6,036.79	7,111.83	7,111.83	0.00
5	US BANK N.A.	7100-000	762.18	404.28	404.28	0.00
6	U.S. Bank N.A.	7100-000	6,581.06	7,011.21	7,011.21	0.00
7	U.S. Bank N.A.	7100-000	558.78	2,571.87	2,571.87	0.00
8	U.S. Bank N.A.	7100-000	1,016.99	667.00	667.00	0.00
10	HSBC Bank Nevada, N.A.	7100-000	2,933.71	3,425.64	3,425.64	0.00
NOTFILED	Bill McKay	7100-000	1,000.00	N/A	N/A	0.00
NOTFILED	US Bank	7100-000	6,027.76	N/A	N/A	0.00
NOTFILED	Union Plus Credit Cards	7100-000	11,312.00	N/A	N/A	0.00
NOTFILED	Jill Tahran	7100-000	1,000.00	N/A	N/A	0.00
TOTAL GI CLAIMS	ENERAL UNSECURED		\$40,024.93	\$24,371.34	\$24,371.34	\$0.00

Form 1 Individual Estate Property Record and Report Asset Cases

 Case Number:
 11-30366
 Trustee:
 (540050)
 KIP M. KALER

 Case Name:
 MCKAY, RICHARD D
 Filed (f) or Converted (c):
 04/08/11 (f)

§341(a) Meeting Date: 05/20/11

Period Ending: 12/14/12 Claims Bar Date: 09/26/11

	1	2	3	4	5	6
Ref.#	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=§554(a) DA=§554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	CEMETERY LOT, CEMETERY LOT LOCATED AT HIGHLAND H Orig. Asset Memo: Orig. Description: Cemetery Lot, Cemetery Lot Located At Highland Home Cemetery, Division D, Section K, in between blocks 12 and 13., Grave space 12B; Imported from original petition Doc#	400.00	0.00	DA	0.00	FA
2	HOMESTEAD 3024 WEST LAKESIDE ROAD LOT #34 (NEEDS Orig. Asset Memo: Orig. Description: Homestead 3024 West Lakeside Road Lot #34 (Needs Work), Jamestown, ND 58401, Lot-034, Cabins West Side, (Appraisal Value, Dated March 2, 2011); Imported from original petition Doc# 1	100,000.00	0.00	DA	0.00	FA
3	CHECKING, SAVINGS OR OTHER FINANCIAL ACCOUNTS, C Orig. Asset Memo: Original petition value: -6500.00; Orig. Description: US Bank Checking Account (Ending In 36); Imported from original petition Doc# 1	0.00	0.00	DA	0.00	FA
4	CHECKING, SAVINGS OR OTHER FINANCIAL ACCOUNTS, C Orig. Asset Memo: Orig. Description: North Country Bank Savings Account (Ending In 53); Imported from original petition Doc# 1	0.00	0.00	DA	0.00	FA
5	CHECKING, SAVINGS OR OTHER FINANCIAL ACCOUNTS, C Orig. Asset Memo: Original petition value: -2400.00; Orig. Description: US Bank Checking Account (Ending In 99); Imported from original petition Doc# 1	0.00	0.00	DA	0.00	FA
6	CHECKING, SAVINGS OR OTHER FINANCIAL ACCOUNTS, C Orig. Asset Memo: Orig. Description: Gate City Bank Checking Account; Imported from original petition Doc# 1	50.00	0.00	DA	0.00	FA
7	HOUSEHOLD GOODS AND FURNISHINGS, INCLUDING AUDIO	895.00	0.00	DA	0.00	FA

Form 1 Individual Estate Property Record and Report Asset Cases

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 (540050)
 KIP M. KALER

 Case Name:
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 Filed (f) or Converted (c):
 04/08/11 (f)

§341(a) Meeting Date: 05/20/11

Period Ending: 12/14/12 Claims Bar Date: 09/26/11

	1	2	3	4	5	6
Ref.#	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=§554(a) DA=§554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
	Orig. Asset Memo: Orig. Description: Household goods and furnishings, including audio, video, and computer equipment.; Imported from original petition Doc# 1					
8	BOOKS, PICTURES AND OTHER ART OBJECTS, ANTIQUES, Orig. Asset Memo: Orig. Description: Books, Pictures, Antiques, CDs; Imported from original petition Doc# 1	390.00	0.00	DA	0.00	FA
9	WEARING APPAREL. Orig. Asset Memo: Orig. Description: Wearing Apparel, Accessories, and Shoes; Imported from original petition Doc# 1	325.00	0.00	DA	0.00	FA
10	FURS AND JEWELRY. Orig. Asset Memo: Orig. Description: (2) Watches; Imported from original petition Doc# 1	50.00	0.00	DA	0.00	FA
11	FIREARMS AND SPORTS, PHOTOGRAPHIC AND OTHER HOBB Orig. Asset Memo: Orig. Description: Remington Model 1100-20 Gauge Shotgun, Winchester Model 70-30.06 XTR Rifle, Binoculars; Imported from original petition Doc# 1	385.00	0.00	DA	0.00	FA
12	INTERESTS IN INSURANCE POLICIES. NAME INSURANCE Orig. Asset Memo: Orig. Description: ReliaStar Life Insurance Company Whole Life Insurance Policy (Daugher is Beneficiary); Imported from original petition Doc# 1	691.36	0.00	DA	0.00	FA
13	INTERESTS IN IRA, ERISA, KEOGH, OR OTHER PENSION Orig. Asset Memo: Orig. Description: Cargill Retirement 401(K); Imported from original petition Doc# 1	50,085.76	0.00	DA	0.00	FA
14	ACCOUNTS RECEIVABLE. Orig. Asset Memo: Orig. Description: Disability	Unknown	0.00	DA	0.00	FA

Form 1 Individual Estate Property Record and Report Asset Cases

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 11-30366
 Trustee:
 (540050)
 KIP M. KALER

 Case Name:
 MCKAY, RICHARD D
 Filed (f) or Converted (c):
 04/08/11 (f)

§341(a) Meeting Date: 05/20/11

Period Ending: 12/14/12 Claims Bar Date: 09/26/11

	1	2	3	4	5	6
Ref.#	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=§554(a) DA=§554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
	Claim; Imported from original petition Doc# 1					
15	ACCOUNTS RECEIVABLE. Orig. Asset Memo: Orig. Description: Anticipated 2010 Tax Refund; Imported from original petition Doc#	121.00	0.00	DA	0.00	FA
16	AUTOMOBILES, TRUCKS, TRAILERS AND OTHER VEHICLES Orig. Asset Memo: Orig. Description: 2001 Ford F-150 Supercrew (Tires are worn, Clutch is going out - Cost \$1000 to fix) (NADA Valuation \$10,975); Imported from original petition Doc# 1	9,000.00	0.00	DA	0.00	FA
17	AUTOMOBILES, TRUCKS, TRAILERS AND OTHER VEHICLES Orig. Asset Memo: Orig. Description: 1984 GMC S-15 (Good Faith Estimate); Imported from original petition Doc# 1	750.00	0.00	DA	0.00	FA
18	BOATS, MOTORS AND ACCESSORIES. Orig. Asset Memo: Orig. Description: 1970 Montgomery Ward 12' Boat (Good Faith Estimate); Imported from original petition Doc# 1	150.00	0.00	DA	0.00	FA
19	BOATS, MOTORS AND ACCESSORIES. Orig. Asset Memo: Orig. Description: 1980 Evenrude Motor 9.9 HP (Good Faith Estimate); Imported from original petition Doc# 1	200.00	114.83		114.83	FA
20	MACHINERY, FIXTURES, EQUIPMENT AND SUPPLIES USED Orig. Asset Memo: Orig. Description: Floor Covering Stretcher, Seamer, Stapler, Hand Tools; Imported from original petition Doc# 1	200.00	200.00		200.00	FA
21	ANIMALS. Orig. Asset Memo: Orig. Description: Dog and Cat; Imported from original petition Doc# 1	2.00	2.00		2.00	FA
22	FARMING EQUIPMENT AND IMPLEMENTS. Orig. Asset Memo: Orig. Description: 2001 John Deere Skidsteer (Good Faith Estimate); Imported from	8,645.00	3,775.17		3,775.17	FA

Form 1 Individual Estate Property Record and Report Asset Cases

 Case Number:
 11-30366
 Trustee:
 (540050)
 KIP M. KALER

 Case Name:
 MCKAY, RICHARD D
 Filed (f) or Converted (c):
 04/08/11 (f)

§341(a) Meeting Date: 05/20/11

Period Ending: 12/14/12 Claims Bar Date: 09/26/11

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=§554(a) DA=§554(c)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
	original petition Doc# 1					
23	AUTOMOBILES AND OTHER VEHICLES (u) Dodge	700.00	700.00	DA	0.00	FA
24	FARMING EQUIPMENT (u) 1995 John Deere 318 Riding Lawn Mower	500.00	500.00		500.00	FA
Int	INTEREST (u)	Unknown	N/A		0.15	FA
25	Assets Totals (Excluding unknown values)	\$173,540.12	\$5,292.00		\$4,592.15	\$0.00

Major Activities Affecting Case Closing:

Closed

Initial Projected Date Of Final Report (TFR): April 30, 2012 Current Projected Date Of Final Report (TFR): August 20, 2012 (Actual)

Exhibit 9

Page: 1

Form 2 Cash Receipts And Disbursements Record

Case Number: 11-30366

Taxpayer ID #: **-***9203

Period Ending: 12/14/12

Case Name:

MCKAY, RICHARD D

Trustee: KIP M. KALER (540050)

Bank Name: The Bank of New York Mellon

Account: 9200-****25-65 - Checking Account

Blanket Bond: \$13,150,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans.	{Ref #} /				Receipts	Disbursements	Checkina
Date	Check#	Paid To / Received From	Description of Transaction	T-Code	\$	\$	Account Balance
06/24/11		Richard D. McKay	Non-exempt assets - first payment		1,000.00		1,000.00
	{21}		2.00	1129-000			1,000.00
	{19}		114.83	1129-000			1,000.00
	{20}		200.00	1129-000			1,000.00
	{24}		500.00	1229-000			1,000.00
	{22}		183.17	1129-000			1,000.00
06/24/11	{22}	Richard D. McKay	Non-exempt assets first payment	1129-000	1,000.00		2,000.00
07/29/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.01		2,000.01
08/01/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		3.84	1,996.17
08/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.01		1,996.18
08/31/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	1,971.18
09/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.01		1,971.19
09/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	1,946.19
10/06/11	{22}	Richard McKay	Payment for nonexempt assets	1129-000	1,000.00		2,946.19
10/06/11	{22}	Richard McKay	Payment for nonexempt assets	1129-000	1,000.00		3,946.19
10/19/11	{22}	Richard McKay	Final payment for nonexempt property	1129-000	592.00		4,538.19
10/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.03		4,538.22
10/31/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,513.22
11/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.03		4,513.25
11/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,488.25
12/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.03		4,488.28
12/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,463.28
01/31/12	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.03		4,463.31
01/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,438.31
02/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,413.31
03/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,388.31
04/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,363.31
05/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,338.31
06/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,313.31
07/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	4,288.31
10/08/12	1001	North Dakota Department of Labor	Dividend paid 26.43% on \$11,463.16; Claim# 9; Filed: \$11,463.16; Reference:	5800-000		3,030.12	1,258.19
10/08/12	1002	KIP M. KALER	COMBINED CHECK FOR TRUSTEE COMPENSATION, EXPENSES AND INTEREST			1,258.19	0.00
			Dividend paid 100.00% 1,148.04 on \$1,148.04; Claim#;	2100-000			0.00

Subtotals: \$4,592.15 \$4,592.15

Exhibit 9

Page: 2

Form 2 Cash Receipts And Disbursements Record

Case Number: 11-30366

Case Name:

MCKAY, RICHARD D

Trustee: KIP M. KALER (540050)

Bank Name: The Bank of New York Mellon

Account: 9200-****25-65 - Checking Account

Blanket Bond: \$13,150,000.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***9203 **Period Ending:** 12/14/12

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance
			Filed: \$1,148.04				
			Dividend paid 100.00% 110.15 on \$110.15; Claim#; Filed: \$110.15	2200-000			0.00

ACCOUNT TOTALS	4,592.15	4,592.15	\$0.00
Less: Bank Transfers	0.00	0.00	
Subtotal	4,592.15	4,592.15	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$4,592.15	\$4,592.15	

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # 9200-****25-65	4,592.15	4,592.15	0.00
	\$4,592.15	\$4,592.15	\$0.00

{} Asset reference(s) Printed: 12/14/2012 02:55 PM V.13.04